

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:21-cv-00564
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
REAL PROPERTY LOCATED AT 100)	
MOUNTAIN VIEW DRIVE, MORELAND)	
HILLS, OHIO, CUYAHOGA COUNTY)	<u>VERIFIED CLAIM OF CLAIMANT</u>
PERMANENT PARCEL NOS: 913-06-)	<u>DAVID ELLIOT BUILDERS, INC.</u>
001, 913-06-005, <i>et al.</i> ,)	
)	
Defendants.)	

Now comes the Claimant, David Elliot Builders, Inc. (“DEB”), through its undersigned counsel Walter A. Lucas, Esq. and Weston Hurd LLP, and hereby submits this claim, pursuant to Rule G(5) of the Federal Rules of Civil Procedure’s Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, against the following two (2) Defendant Properties identified in the Plaintiff’s Complaint in Forfeiture: (1) Real Property Located at 952 N. Laurel Avenue, Los Angeles, California, 90046, which is further described by the Los Angeles County Assessor as AIN: 5529-023-023 (the “Laurel Avenue Property”); and (2) Real Property Located at 806 N. Vista Street, Los Angeles, California, 90046, which is further described by the Los Angeles County Assessor as AIN: 5526-005-024 (the “Vista Street Property”).

DEB is a full service design and build construction firm with its principal office located at 5967 West Third Street, #360, Los Angeles, California, 90036. DEB asserts an interest in both the Laurel Avenue Property and the Vista Street Property by virtue of valid mechanic’s

liens DEB holds against said properties. DEB has filed foreclosure actions to enforce its mechanic's liens in the Los Angeles Superior Court with respect to both the Laurel Avenue Property and the Vista Street Property.

DEB respectfully submits that, by virtue of its lawful mechanic's liens held against the Laurel Avenue Property and the Vista Street Property, said properties are not subject to forfeiture pursuant to 21 U.S.C. § 881, 18 U.S.C. § 981, or any other statute.

Respectfully submitted,

/s/ Walter A. Lucas

Walter A. Lucas (0068150)

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Counsel for Claimant, David Elliot Builders, Inc.

VERIFICATION

I, David Berman, in my capacity as Chief Operating Officer and as a duly-authorized agent of the Claimant, David Elliot Builders, Inc., hereby verify that I have read the foregoing Verified Claim and declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, that the facts stated herein are true and correct.

Executed this 10th day of May, 2021.



David Elliot Builders, Inc.

By: David Berman, Chief Operating Officer

CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. In addition, the undersigned further certifies that a copy of the foregoing has been served via electronic mail and regular U.S. Mail upon the following:

Henry F. DeBaggis, Assistant U.S. Attorney
Office of the United States Attorney
United States Courthouse
801 W. Superior Ave., Suite 400
Cleveland, Ohio 44113

/s/ *Walter A. Lucas*

Walter A. Lucas (0068150)